RESOLUTION
OF THE
WHO REGIONAL COMMITTEE FOR SOUTH-EAST ASIA

SEA/RC59/R7 PUBLIC HEALTH, INNOVATION, ESSENTIAL HEALTH RESEARCH AND INTELLECTUAL PROPERTY RIGHTS

The Regional Committee,


Having considered the report and recommendations of the Commission on Intellectual Property Rights, Innovation and Public Health,

Noting that an intergovernmental working group will be convened before the end of 2006 with a view to developing a global strategy and plan of action to provide the medium-term framework based on the recommendations of the WHO Commission on Intellectual Property Rights, Innovation and Public Health,

Aware of the emerging resistance to some of the currently available drugs and the need for affordable treatment for neglected diseases, and that insufficient research is being conducted in this area,

Considering the need to ensure appropriate incentives for research and development of treatments for neglected and the most neglected diseases\(^1\) predominantly affecting the Member States in the Region, and the need to address issues related to distribution, delivery and pricing of medicines at the end-user level,

Recognizing the importance of intellectual property rights in fostering research and development in innovative medicines but also acknowledging the necessity for alternative incentive systems,

Recalling that the agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) should not prevent member from taking other measures to protect public health in their efforts to promote access to affordable medicines, and

Reaffirming the critical need to achieve the Millennium Development Goals to reduce poverty and promote human rights,

\(^1\) Diseases that are overwhelmingly or exclusively incident in developing countries. These diseases receive extremely little R&D and essentially there is no commercially-based R&D in the rich countries (Reference: Public health, Innovation and Intellectual Property Rights, Report of the Commission on Intellectual Property Rights, Innovation and Public Health, April 2006)
1. **URGES Member States:**
   
   (a) to actively participate in the work of intergovernmental working group;
   
   (b) to ensure an enabling environment including financial supports for health research in public and private settings to better respond to the pressing public health needs in the Region with particular emphasis on the new drugs, vaccines and diagnostics in order to address the high burden of neglected diseases in the Region, and
   
   (c) to make full use of the flexibilities allowed in the TRIPS agreement, and

2. **REQUESTS the Regional Director:**
   
   (a) to support the participation of Member States in the work of intergovernmental working group;
   
   (b) to convene a regional consultation of Member States to develop a regional perspective prior to the meeting of the intergovernmental working group;
   
   (c) to continue to provide technical support and mobilize financial resources to Member States in undertaking research capacities with particular emphasis on the neglected diseases, and
   
   (d) to report to the 62nd Regional Committee Meeting in the 2009 on progress made by this Resolution.